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List of issues and questions in relation to the seventh periodic report of Turkey

Addendum

Replies of Turkey*

[Date received: 26 February 2016]

Note: The present document is being circulated in English, French and Spanish only.
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Constitutional and legislative framework

Question 1

1. The Government Programme covers improving the efficiency of institutions in charge of human rights affairs including the National Human Rights Institution of Turkey. Works to be carried out in this regard are included in the reforms and actions under the heading of democratisation in the 21 December 2015-21 June 2016 period of the Government Action Plan.

2. Article 34 of the Constitution regarding the right to hold meetings and demonstration marches states that "Everyone has the right to hold unarmed and peaceful meetings and demonstration marches without prior permission. The right to hold meetings and demonstration marches shall be restricted only by law on the grounds of national security, public order, prevention of commission of crime, protection of public health and public morals or the rights and freedoms of others".

3. The Law No. 2911 on "Assembly and Demonstration Marches" and the "Regulations for the Implementation of the Law on Assembly and Demonstration Marches", which are in force pursuant to the Article 34 of the Constitution, regulate the formalities, conditions, and procedures to be applied in the exercise of the right to hold meetings and demonstration marches and the time, place, method and conditions for the meetings and rallies to be organized by real persons and legal entities.

4. Provisions of the legislation regarding the right to hold meetings and demonstration marches apply to everyone equally.

5. With the Law No. 6459 on "Amendments to Certain Laws in the Context of Human Rights and Freedom of Expression" dated 11 April 2013, amendments were made to resolve problems in the field of human rights within the context of domestic law and resolve structural problems associated with the exercise of the freedom of expression. Amendments were made in the Articles 215, 220 and 318 of the Turkish Penal Code regarding the offenses of "praising an offense or the person committing the offenses", "making propaganda of an organized criminal group" and "discouraging people from enlisting in armed forces" and in the Articles 6 and 7 of the Anti-Terror Law No. 3713 regarding the offenses of "printing or publishing leaflets and declarations of terrorist organizations" and "making propaganda of terrorist organizations."

6. The Law No. 6529 on "Amendments to Certain Laws to Enhance Fundamental Rights and Freedoms" dated 2 March 2014, expands the scope of freedom of expression, freedom of assembly and association, the right to vote and stand for election. Some amendments were made to the Law No. 2820 on "Political Parties", Law No. 2911 on "Assembly and Demonstration Marches", Law No. 2923 on "Foreign Language Education and Education in Other Languages and Dialects of the Turkish Citizens" and "Turkish Penal Code." With these amendments, measures depicted in the question directed by the Committee were addressed in large part.

7. The Turkish Justice Academy and the Council of Europe have been carrying out a joint project named "Strengthening the Capacity of the Turkish Judiciary on Freedom of Expression" since 2014. The project aims to contribute to a better protection of human rights and fundamental freedoms, especially the right to freedom of expression, and to enhance the application of the case-law of the

European Court of Human Rights in Turkey. Within the scope of the project, "Needs Analysis Report on Freedom of Expression and Media" and three training modules ("insult, hate speech and instigating violence"; "freedom of expression and the internet"; "positive obligations of the State and safety of journalists") have been prepared in order to improve the curriculum and capacity of Turkish Justice Academy. Training of trainers and the works to improve the prosecutors' and judges' awareness and capacity to employ European Standards in freedom of expression are underway.

Access to justice and legal complaint mechanism

Question 2

8. The Union of Turkish Bar Associations has been carrying out a project named "Support to the Improvement of Legal Aid Practices for Access to Justice for All in Turkey" in partnership with the United Nations Development Programme, which identifies the problems of disadvantaged groups and women in access to justice and conducts activities in order to eliminate such problems. This project will last until September 2018.

9. A "Department of Victim Rights" was established under the Directorate General for Penal Affairs of the Ministry of Justice so as to carry out necessary work in the field of victim rights, provide support and guidance to victims and to prevent unjust treatment after the act of crime. Amendments to the Organic Law in order to facilitate the establishment of "Judiciary Social Support Department" under Judiciary Administrations and efforts within the scope of "Victim Rights Draft Law" are underway. The goal of these units will be to approach juvenile victims, witnesses and juveniles pushed to crime in a holistic manner and to serve all victims including disadvantaged group members, especially women, who are victims of domestic violence and sexual crimes.

10. In-service training regarding "Violence against Women and Gender Equality" has been given to chief clerks and court clerks of the civil courts as well as judicial and administrative clerks in 2015.

11. "Law Regarding Protection of Family and Prevention of Violence against Women No. 6284[1]" course is given during the preparatory training of the civil judge and prosecutor candidates by the Turkish Justice Academy, and given to judges and prosecutors through service seminars.

12. In addition to the trainings listed in the paragraphs 38, 39, 40, 41 and 42 of the report, within the scope of the project depicted in the para. 54, a five day trainer's training programme on gender and violence against women, their effects on women and children, interviewing a woman victim of violence, international and national regulations will be conducted for 500 police officers, 25 judges and prosecutors, 125 chief clerks and 150 family court experts. Those judges and prosecutors are planned to hold trainings at the Academy. Police officers, chief clerks and family court experts are also planned to hold trainings for their own colleagues at the provinces they work and the nearby provinces. As of 15 February 2016, a total of 200 healthcare personnel, 300 police officers, 25 family court experts and 125 chief

[1] Hereinafter to be referred to as the Law No. 6284.

clerks have attended the trainer trainings. The training programme is expected to be completed by April 2016.

13. Gender equality and prevention of violence against women are envisioned to be included in the curriculum of the Police Academy, and related training materials will be prepared accordingly.

14. The Supreme Court General Assembly resolved on 11 November 2015 regarding the individual application by G.Ö. (B.No:2013/7979) that the non-discrimination clause provided by the Article 10 of the Constitution was breached. In the case, the applicant wanted to have the surname of the child changed, whose custody was given to them after a divorce. However the request was denied during the proceedings. Judgement of dismissal as a result of the filing to that effect was assessed for appeal and finalized. The Supreme Court, deliberating on the applicant's request to change the child's surname to that of the applicant within the context of custody rights and use of rights within this scope, emphasised that the case should be considered within the context of positive obligations regarding respect to family life and associated rights. Moreover, the Supreme Court stated that different treatments based on gender was a clear breach of the equality principle and reminding that the spouses have the same rights and responsibilities in matrimony and that the spouses are on the same legal position with respect to their rights and responsibilities during the marriage and in relation with divorce, The Supreme Court resolved that the non-discrimination provision of the Article 10 of the Constitution, when considered along with the Article 20 of the Constitution, was violated.

15. Regarding the individual application by S.A.E (B.No:2013/2187) dated 19 December 2013, the Supreme Court resolved that the practice prevents a married woman from keeping her pre-marriage surname alone is a breach of the Article 17 of the Constitution protecting the preservation and development of moral integrity of a person. The Supreme Court, reminding about Article 90 of the Constitution, stated that the international agreements and the internal legal practice have different provisions for the same issue and as a result, the present contradiction must be resolved taking the International Covenant on Civil and Political Rights and the Convention into account. Consequently, the Court resolved that the Article 17 of the Constitution protecting the preservation and development of moral integrity of a person was violated because the condition that the act must be legal is not satisfied.

16. In many resolutions of the State Council (Administrative High Court) regarding administrative cases, referring to the Convention, discrimination against women were prevented. Within this context, there are a series of cases under the heading of "Personnel Hiring Ads- Cases of Gender Inequality in Public Hiring." For example, the State Council resolved for one of these cases that the condition listed under the engineering positions for the "Turkish Anthracite Organization" published in the official hiring guide was "being a male" and the Council, referring to the Convention, resolved that this was in breach of the Articles 10 and 70 of the Constitution.

17. Another type of cases processed by the State Council that can be an example of measures against discrimination against women is "Cases against Administrative Penalty Resolutions for Broadcasts Promoting Violence and Discrimination against Women in Radio and Television Broadcasting". During these cases, it was

emphasised that broadcasting services shall not include programmes against gender equality, promoting oppression of women and abusing women.

18. Also, in cases filed with the State Council regarding regulatory clauses for residential building annotation, the Convention was referred to and discrimination against women was prevented by resolving that the other spouse's consent cannot be sought. When the professional environment harassment cases processed by the State Council are examined, it was seen that in order to protect the women who are victims of harassment, transfer of alleged perpetrators to other organizations were approved.

Question 3

19. The Ombudsman Institution consists of Chief Ombudsman and five Ombudsmen appointed by the Parliament. Filing a complaint to the institution is free of charge and can be done electronically, via postal service, via governor's office or district governors' offices. Without seeking mutuality, foreign nationals' complaints are accepted and filing in other languages is allowed. As of November 2015, the institution had a total of 18,503 complaints filed. The Ombudsman Institution has its headquarters in Ankara and an office in Istanbul. The purpose of the Institution is to establish an independent and efficient complaint mechanism regarding the delivery of public services and investigate, research and make recommendations about the conformity of all kinds of actions, acts, attitudes and behaviours of the administration with law and fairness under the respect for human rights. Independence and impartiality of the institution is ensured by law. Annual report of recommendations and actions of the Ombudsman Institution are submitted to the Joint Parliamentary Committee and discussed by the Parliament's General Assembly. If necessary, special reports are submitted as well.

20. As of November 2015, the Ombudsman Institution has received a total of 23 complaints regarding women's rights (eight in 2013, six in 2014 and nine in 2015).

21. There are applications made to the Ombudsman Institution regarding divorces, alimony and extension of the protection resolution, mandatory day care facilities to all public and private businesses where women work, elimination of the victimisation after rape, travel times not being included in breast-feeding leaves, alleged gender discrimination in hiring for some of the organizations, alleged insults and forced custody of children by personnel of the women's shelters controlled by the Ministry of Family and Social Policies and alleged discrimination for use of maternal leave.

22. One of the example to these complaints: An application included a request to remove "applicants must be male" from the hiring condition for ARFF (Airport Firefighter) officials by the State Airports General Directorate. The application was assessed under gender discrimination clauses and a recommendation was made to the State Airports General Directorate to remove the condition for applicants "to be male" as stated under the heading of Requirements for the ARFF Personnel in Part 11, of the Aircraft Accident and Incident Rescue and Fire Fighting Regulations.

23. The Ombudsman Institution organizes various activities in order to increase public awareness as to the function of the institution as well as to contribute towards the understanding of human rights. Within this scope, television and radio programmes, visits to NGOs, regional conferences are conducted. Additionally,

booklets, brochures and other printed material are regularly sent to related organizations, as well as to provincial and district governor offices.

24. The Ombudsman Institution has been in collaboration with non-governmental organization (NGOs) engaged in women's rights and organized meetings. "Women studies centres" at universities, and related units are visited such as women's shelters in Ankara.

25. In order to accredit the National Human Rights Institution of Turkey as per Paris Principles, files including the Institutions legislation and regulations, latest activity report (2014), detailed declaration depicting compliance with Paris Principles as well as annual budget and personnel information were sent on 11 January 2016 via postal service as well as electronic means to the International Coordination Committee. On the other hand, in order to strengthen the capacity of the Institution in anti-discrimination and equality and to restructure it as the Institution of Human Rights and Equality of Turkey, preparation and submission of a new law draft to the Parliament is underway.

National machinery for the advancement of women

Question 4

26. Responsibilities of the Ministry of Family and Social Policies General Directorate on the Status of Women as the national mechanism for women's advancement, depicted in Statutory Decree number 633 Articles 9 and 22 are listed as: implementing and coordinating protective, preventative, educational, improving, guiding and rehabilitating social service activities of the Ministry geared towards women; coordinating the effort to determine national policy and strategies geared towards preventing discrimination against women, protection and improvement of the women's human rights and status in the community, facilitating presence of women in all areas of the public life, and implementing the policies and strategies, monitoring and assessing the practice of the same; determining principles, methods and standards for the social services carried out by public organizations, institutes, volunteer institutions as well as other legal entities and real persons, enforcing the same; carrying out projects and activities geared towards preventing all kinds of discrimination against women improving women's human rights as well as supporting similar activities; improving public awareness by informing public about women's human rights; working towards prevention of all types of violence, abuse and harassment towards women and providing support for resolving women's problems originating from family and social life; carrying out activities geared towards advancement of women and increasing participation of decision making bodies in all areas but especially in health, education, culture, professional and social security areas; organizing national and international scientific activities, panels, seminars, forums; preparing publications geared towards raising awareness in public; carrying out educational activities and project; facilitating collaboration and coordination between public organizations, universities, local administrations, social foundations, societies and other non-governmental organization as well as private sector; preparing and implementing joint projects; monitoring and assessing at national level the implementation of the international decrees and acts Turkey is party to regarding women; assessing information from research areas and sharing the same with the organizations so as to facilitate improving of existing services and

creating new service models; monitoring legislation and their implementation within this scope; participating in legislation improvement efforts within the scope; monitoring, updating and utilising in activities the data regarding the issues and social service activities in connection with the domain of responsibility; providing secretariat services to national monitoring and consultancy committees to be made up of ministry representatives, other ministries, public organizations, non-governmental organizations and other experts as per international agreements about women's rights to which Turkey is party; organizing activities, projects and campaigns geared towards strengthening social awareness and collaboration specifically for women in need of protection; carrying out other tasks within the scope as defined by legislation; carrying out similar tasks to be assigned by the minister.

27. The Ministry of Family and Social Policies General Directorate on the Status of Women as of 2016 January employed 104 personnel at the headquarters and 1900 personnel at the provinces. 2015 budget of the Ministry General Directorate on the Status of Women headquarters and provincial units is TL 118,355,000 (USD 41 million). The draft budget proposal for the year 2016 amounts to TL 137,425,000 (USD 47.4 million).

28. The Ministry of Family and Social Policies General Directorate on the Status of Women currently collaborates with other units in the Ministry engaged in advancement of women via collaboration protocols, meetings, and educational activities.

29. As mentioned in the paragraph 23 of the report, Turkish Grand National Assembly's Committee on Equality of Opportunity for Women and Men and the Ministry of Family and Social Policies General Directorate on the Status of Women carry out projects in collaboration. The results of survey of legislation within the scope of the project were shared with the related public organizations during the meeting held on 2 February 2016. Awareness rising efforts are underway in collaboration while expert support is provided for the Committee on Equality of Opportunity for Women and Men activities by The Ministry of Family and Social Policies General Directorate on the Status of Women.

30. In 2016, local action plans will be prepared in parallel with the Combating Violence against Women National Action Plan 2016-2019 within the scope of the project as described in the paragraph 54 for the 26 provinces. In accordance with the action plans, provincial coordination and monitoring mechanisms will be established in the provinces or the existing ones will be strengthened.

Stereotypes and harmful practices

Question 5

31. The Ministry of Family and Social Policies carries out awareness raising activities aimed at establishing gender equality and elimination of all forms of discrimination against women. Within this context, educational activities as depicted in the paragraphs 54, 75, 76 and 85 of this report were carried out. Ministry of National Education Religious Education General Directorate ensures measures are taken in order to protect disadvantaged groups by educating families with the project "Closing the Gap between the Home and the School and Changing Roles of Mothers and Fathers".

32. During the preparation stage of the course books and educational material used in primary and secondary education organizations under the Ministry of National Education, necessary precautions are taken to eliminate stereotypes, including especially women suffering from multi-discrimination based on their ethnicity, age, disabilities, religion, sexual orientation. Moreover, the number of female and male students in visuals and texts in the course books are kept equal. In parts about family life, democratic structure of family and the roles of parents are expressed carefully with an emphasis on gender equality. Maximum care is given to exclude any type of elements that disregard, ignore or damage gender equality in the books.

33. Radio and Television Supreme Council in collaboration with the Ministry, prepared a "Book of Media Literacy". This book contains recommendations as to how a person should view publications and programmes with elements in opposition of gender equality, promoting oppression of women and abusing women, and including stereotypical gender roles and definitions, stereotypical view of any group and even hate speech.

34. Within the scope of "Combating Discrimination against Disability in Turkey" Project, "Research for Measuring Discrimination against Disability" (2010) was carried out. According to the research, for the sample group of disabled people, highest discrimination was observed in employment which was followed by education, participation in communal life, free time and recreation activities, access to information, access to healthcare and justice. Perception of the sample group regarding the participation of the disabled in political life was that the discrimination in that areas was very little. Frequency of experiencing discrimination was found to be relatively higher for women.

35. Within the scope of fight against early/forced marriage efforts, various activities were carried out in addition to the work depicted in the paragraphs 220 and 221. In Turkish Penal Code, punishments for crimes of statutory rape and sexual abuse of children were increased. In addition, it is considered that the compulsory education period increased to 12 years in 2012 would have a positive effect on prevention of early marriages.

36. The Ministry of Family and Social Policies General Directorate on the Status of Women prepared a public service announcement on the subject of "Early and Forced Marriages" and this was broadcast in television channels. "Combating Violence against Women National Action Plan 2016-2019" includes activities to be carried out nationally and locally to prevent early marriages.

37. Children's Rights Strategy Paper and Action Plan 2013-2017 prepared by the Ministry of Family and Social Policies has "Efficient legal and administrative measures shall be taken in order to prevent early marriages" as a target. Within this scope, scientific studies shall be carried out regarding the reasons and effects of early and forced marriages, necessary measures will be taken to include children whose vital records were never registered in the system, to keep especially girls in the education system and determine, monitor and return to the education system those girls who are not included in the education system, to include children work in seasonal farm labour to find and report girls who were married early and gave birth, and legal proceedings regarding early marriages will be prioritised and expedited.

38. In services and promotion of such services provided by the Agency of Disaster and Emergency Relief at temporary shelters special care is taken with regard to

gender. In visual materials, gender stereotypes are avoided. Awareness-raising activities in order to teach related laws in Turkey to Syrians and have them comply with them are carried out. In order to promote marriages in compliance with the Civil Code, small gifts were given. As a result, a decrease in the number of early marriages was observed.

39. Six hundred personnel of the Agency of Disaster and Emergency Relief were given training about legislation regarding international protection, early and forced marriages in sponsorship by the Office of the United Nations High Commissioner for Refugees. The Agency coordinates monthly meetings and efforts are monitored by participation of related organizations and local NGOs.

40. Family education seminars are given to village headmen, women and men at the shelter centres. All shelter centres have women committees. Participation of women in the decision-making process is prioritized.

41. Special needs of women are always considered. As an example, special nutrition menus are available to pregnant and nursing women.

42. Refugee children who were provided access to education at the public schools, camps and temporary education centres by the Ministry of National Education reached 251,000 as of October 2015. This number is anticipated to reach 450,000 by the end of the academic year (June 2016).

43. A workshop on education needs of the Syrian children was held by the Ministry of National Education in collaboration with the United Nations Children's Fund (UNICEF) and with participation of Turkish and Syrian teachers, pupils, their families, academicians, NGO and public organization representatives. The action will be taken in relation with the problem areas identified in the workshop report upon its publication.

44. The 10th Development Plan focuses on women's rights along with family rather than focussing on family instead women's rights. Under the heading of Family and Women in the Plan, following statement was included: "Within the scope of equal opportunities for women and men, the necessity to improve especially active participation in employment and decision-making processes, prevention of violence, maintaining improvements in education and healthcare, and generally increasing the effectiveness of implementation continues to exist". This section states "strengthening the role of women in social, cultural and economic life, protection of the family and improving its status, and strengthening social integration" as its goal. In the policies section targets are stated as: "to increase women's participation in decision making mechanisms, women's employment, and women's education and skill levels. Public awareness shall be raised especially starting from early ages via formal education in order to eliminate violence and discrimination against women. Awareness regarding gender-sensitive budgeting will be established and best practices will be implemented."

Violence against women

Question 6

45. As of February 2016, 101 shelters with a capacity of 2,656 in 79 provinces serve under the coordination of the Ministry of Family and Social Policies. Work is

underway to open shelters at the remaining two provinces. In addition, 32 shelters are operated by local administrations with a capacity of 741 as well as 4 operated by NGOs with a capacity of 45, coming to a total of 137 with a total capacity of 3,442.

46. Changes to the Municipalities Law No. 5393 Article 14/(a) "Responsibilities of Municipalities" now make it obligatory for municipalities with a population of over 100,000 citizens to open shelters for women and children. Municipalities with less than 100,000 populations, based on their financial status and service priorities, are allowed to open shelters for women and children and based on need and independent of the population limit were given to these municipalities.

47. Necessary collaboration and promotion efforts between the Ministry of Family and Social Policies and related units of the Ministry of Interior regarding the opening of women's shelters by municipalities are currently underway.

48. First Step Stations operate as per the paragraph 34 of the report are in service in 24 provinces (a total of 25 first step stations) as of January 2016. First step stations are units where the violence victim women are admitted for first observations. Their psychological, social and economic status are determined and they are allowed to stay for up to two weeks. First step stations were designed to determine the appropriate service model for the women and the dependent children in provinces where violence against women is prominent. There are no women who have to go back to their partners/spouses perpetrator of violence against them due to lack of sufficient support and/or sheltering. In 2015, the number of women who left women's guesthouses in order to willingly go back to their spouses or partners is 816.

Question 7

49. The "Impact Analysis in Implementation of the Law No. 6284" as depicted in the paragraph 55 of the report has been completed. The study aims to profile both the victims and perpetrators of violence demographically, socially and economically. The study developed recommendations regarding the text of the Law, roles of the law-enforcement units and coordination between institutions, institutional capacity, implementation process of the Law; trainings and awareness activities. Efforts aimed at eliminating problems identified as a result of the study shall be carried out with a comprehensive roadmap in collaboration with related organizations and NGOs.

50. Recommendations and findings of the study are as follows: Law No. 6284 is in compliance with the international responsibilities in prevention of the violence against women and has great potential in preventing and eliminating violence. However, some issues associated with the implementation process and some weak aspects of the Law text would diminish its effectiveness. In order to enable effective implementation of the Law, legislation frameworks of all organizations such as Security General Directorate, Gendarmerie General Command, Ministry of Justice, Ministry of Health, Civil Registry and Citizenship Affairs, the Ministry of National Education must be brought in line with the Law No. 6284. Establishment of Centres for Monitoring and Prevention of Violence as per the Law No. 6284 and a centralized system being introduced through the Centre, which is an important development. As such, the number and capacity of the Centre must be increased in order to make it possible that they serve the purpose they are assigned in the law. (As of February 2016 there are Centres in 41 provinces and the effort to establish

them in 81 provinces is underway). It is imperative to improve shelters to match the need and support the organizational capacity. Establishment of family courts in all provinces as well as establishment of domestic violence departments in Provincial and District Police Headquarters are important in terms of increasing organizational capacity. (There are "domestic violence and violence against women departments" in 81 provincial police headquarters as well as "children and women department" in 37 provincial gendarmerie commands whereas these will be established in 81 provinces by the end of 2019). It is of utmost importance to inform and raise awareness among the victims of violence as well as the enforcers as to the contents of the law and the legal consequences of breaking the said law. All law enforcers should be provided with regular training regarding the women's human rights, gender equality, violence and Law No. 6284 while expert units should be allotted to facilitate institutionalisation of the trainings. Women's rights as well as gender equality and similar concepts must be integrated into formal education curricula at various stages.

51. "Research on Domestic Violence against Women in Turkey" as depicted in the paragraph 53 of the report was completed and shared with the public on 30 December 2014 with the participation of public organizations, universities and non-governmental organizations. In addition, results of the research are published on the Ministry of Family and Social Policies General Directorate on the Status of Women web page.

52. Some of the findings of the research are as follows. In Turkey, 36 per cent of women were victims of violence from their partners or spouses at any point in their lives. This number is 8 per cent within the last 12 months. Forty-four per cent of women were victims of psychological/emotional abuse/violence from their partners or spouses at any point in their lives. This number is 26 per cent for the last 12 months. Twelve per cent of women were victims of sexual violence from their partners or spouses at any point in their lives. This number is 5 per cent for the last 12 months. Thirty-eight per cent of women were victims of sexual and/or physical violence from their partners or spouses at any point in their lives. This number is 11 per cent for the last 12 months. Thirty per cent of women were victims of at least one of economic abuse/violence at any point in their lives. This number is 15 per cent for the last 12 months. Forty-four per cent of women who were the victims of physical and/or sexual violence from their spouses or partners kept their experience secret.

53. Table 1 (see annex) shows the number of preventative and protective measures in legal capacity. As a result of breach of such measures, the number of coercive imprisonment is 1,318 in 2015.

54. "Combating Violence against Women National Action Plan 2012-2015" has been monitored in 6 month periods and results of these monitoring activities were published on the Ministry of Family and Social Policies General Directorate on the Status of Women website. Within the scope of the preparation work for the "Combating Domestic Violence Against Women National Action Plan (2016-2019)" international conventions, especially the Istanbul Convention, national legislative provisions, monitoring and assessment reports from Combating Domestic Violence Against Women National Action Plan 2012-2015, results of the Research on Domestic Violence Against Women in Turkey and Impact Analysis Research for the Implementation of the Law No. 6284, as well as the report from the "Parliamentary

Investigation Commission for Determination of the Reasons for the Violence against Women and Necessary Measures for Prevention" were all reviewed and goals and actions were determined taking also the recent public need and developments into account.

55. During the preparation of the National Action Plan, meetings were organized with participation from public organization representatives as well as NGOs and women's study centre representatives from universities. With the National Action Plan, improvements in five basic areas are targeted to be achieved: establishment of legal arrangements and increasing their effectiveness; raising awareness and facilitating a paradigm shift; provision of preventative and protective services while empowering victims of violence; inter-organizational collaboration, and policy development.

Question 8

56. See paragraph 50. These units are carrying out the investigations and persecution of cases of violence against women within the scope of the existing laws.

57. Article 82-k of the Turkish Penal Code, "committing an offense with the motive of custom" is listed as major crime and its punishment is foreseen as the "aggravated life sentence" which is the highest sanction provided by the Turkish legal system. The "custom reasons" listed in the article is a comprehensive definition including the acts of violence known as "honour killing."

58. Actions resulting in death are among the crimes considered under principle of ex-officio examination by chief prosecutors. When the fact that the national penal system does not have any sanction more severe and dissuasive than aggravated life sentence foreseen for the offense in the legislation is considered, it is clear that the law-making authorities are placing a special importance to investigation, persecution and punishment of such crimes.

59. Crime statistics as per Article 82-k of the Turkish Penal Code, for the years 2009-2014 and tabulated for provinces are provided in the Annex.

Participation in political and public life

Question 9

60. Examples including the practices in question are depicted in the paragraphs 65, 66 and 193 of the report and the special measures are gradually increasing.

61. Support programmes conducted by the Ministry of Family and Social Policies Social Support Department have been supporting women. Approximately 61 per cent of the social support beneficiaries, 75 per cent of the regular support beneficiaries and 50 per cent of the permanent support beneficiaries were women in 2015. In addition to such efforts, one of the Ministry of Family and Social Policies Social Support Department programmes, "Income Generating Project Support" provides up to TL 15,000 (approximately USD 5,000) per person for establishing businesses in urban areas and for localized sustainable activities in rural areas. For projects undertaken by women, if the instalments as depicted in the repayment plan are followed regularly and in a timely manner, last instalment is granted to them. In

addition, within the "Support of Rural Development Investments" programme by the Ministry of Food, Agriculture and Husbandry, projects with 50 per cent grants are awarded more for women farmers and for women members of agricultural cooperative venture or society.

62. Participation of women in politics is constantly increasing (see annexed tables of the report, 5, 6, 7 and 8). After the 1 November 2015 elections, parliament reached a 14.73 per cent women's representation with 81 women being elected as MPs. Around 10 per cent increase in these numbers since the year 2002 is a significant development. These numbers show that the political parties and the public have increased awareness regarding women being represented in the parliament in Turkey.

63. Within the last decade, in order to facilitate higher participation of women in economic, social and political life, very important amendments to the Constitution, civil law, penal law and labour law were made. These amendments are testimony of the commitment to increase the participation of women in all aspects of life as well as ensuring that women take their deserved place in the society.

Education

Question 10

64. Regarding anti-stereotyping in educational material, see answer 5 and also see paragraphs 127-128 of the report.

65. Within the scope of guidance education provided at schools, awareness-raising activities are carried out on gender, domestic violence, gender inequality. As part of the "Strategy and Action Plan for Prevention and Elimination of Violence in Educational Platforms" various activities will be carried out regarding prevention of violence against children and women for the students, their parents and teachers. In the sub elements of the "Project for Prevention of Violence against Children" carried out by the Ministry of National Education, subjects such as domestic violence, gender inequality and similar issues are examined.

66. Establishment of Girls Imam Hatip (religious vocational) High Schools and dormitories in some of the areas in order to prevent prejudices keeping girls away from enrolment are contributing towards enrolment rates of girls in these areas.

67. In the Science Education Programme given to primary and secondary education institutes such subjects as human reproduction, growth and development as well as health in puberty and related measures are included.

68. Even though there are no current efforts regarding education in minority languages nor teaching of minority languages at schools within the structure of Directorate General for Basic Education, within the scope of an elective course in secondary education, "Living Languages and Dialects" Kurmanc, Zaza, Adıge, Abaza, Laz and Gurcu language courses are included. In addition to these, with the implementation of the Law No. 6529 regarding Amendments to Certain Laws in Context of Improvement of Basic Rights and Freedoms in 2014, it was made possible for citizens to establish private schools in order to provide education in different languages and dialects traditionally used in their daily lives.

Employment

Question 11

69. As per the basic employment indicators (seasonal effects are also covered) issued by the Turkish Institute of Statistics (TUIK) in 15 December 2015, labour force participation of women between the ages 15-64, is 35.9 per cent, employment is 31 per cent and unemployment is 13.6 per cent. Since 2000, women's participation in the labour force has increased as well as their unemployment rate. Provisional special measures taken in order to increase participation while decrease unemployment are depicted in the paragraphs 65, 66, 192, 193 and 194 of the report. Insurance premium employer share incentive as depicted in the paragraph 65 has been extended to the year 2020.

70. Ministry of Labour and Social Security's (ÇSGB) National Employment Strategy (2014-2023) (UİS) came into force on 30 May 2014. One of the base policy vectors of the UİS, "Increasing Employment of the Groups Requiring Special Policies" aims to circumvent obstacles in front of employment of groups requiring special policies such as women, persons with disabilities, young people and those who have been in unemployment for extended periods of time. UİS targets to increase women's labour force participation to 41 per cent while decreasing informal employment to 30 per cent until 2023. The UİS has 15 different items in relation to the employment of women. A Monitoring and Assessment Committee was established and charged to meet every six months in order to implement the UİS and make necessary changes to the activities based on current developments. Latest meeting of the committee was held on 25 December 2015.

71. One of the goals of Turkish Employment Agency in the 2013-2017 Strategic Plan is to increase the percentage of women employed in the private sector to 35 per cent by the year 2017. By the end of 2014 this number was 32 per cent and it is estimated that the goal of 35 per cent will be achieved by the end of 2017.

72. Preparation for the action plan as depicted in the paragraph 154 of the report are underway within the scope of the Turkish Employment Agency activities and projects.

73. According to the Income Structure Questionnaire issued by TUİK in 2010, gender-based income difference was defined as the difference between the income of women and men as a percentage of the men's income and calculated as an average of hourly, monthly or annual pay. This study was carried out using annual gross pay. Gender-based income difference is in total (-1.1 per cent) in favour of women's pay. Most important factor affecting this outcome is the average education level of women in the workforce being high.

74. A provision that came into force on 1 April 2015 and added to the Law No. 5510, women providing housekeeping are included in the mandatory health insurance. Birth debt as mentioned in the paragraph 167 of the report has been revised to include three children. Early retirement was made available to women with serious disabilities. Child Care at home project was started in March 2015. With the project, labour force participation of women is supported and a decrease in the informal employment of babysitters is anticipated. With the project to be expected to reach completion in 2017, financial support to around 5000 mothers in 3 provinces is envisioned.

Health

Question 12

75. Turkish Population Health Survey (TNSA) 2013 results were published in December 2014. In accordance with the results, 5 per cent of the adolescent women (15-19 years of age) in Turkey are either mothers or are currently pregnant with their first child. Adolescent motherhood tends to decrease over the years. As per the survey conducted in 1993, for the years 1988-1993 this number was 10.2 per cent while it was 4.6 per cent as per the 2013 results (TNSA 2008 number is 5.9). Family planning methods are known to almost all of the women (99 per cent). Almost all of the women interviewed stated that they know of at least one modern method. Use of modern methods increased from 35 per cent in 1993 to 47 per cent in 2013 (2008 TNSA number is 46 per cent). Main source for the family planning methods in Turkey is the public sector. 56 per cent of those who currently utilise any of the methods are sourcing their methods from public sector. Unmet Family Planning Need according to TNSA 1998 was 14 per cent; TNSA 2008, 8 per cent and as per TNSA 2013, decreased to 6 per cent. As per the TNSA 2013 results, 5 of every 100 pregnancy is voluntary abortion. Voluntary abortion rate of 18 per cent as per 1993 survey receded to 5 per cent as per the 2013 survey. Majority of the women who had a voluntary abortion in the last five years (62 per cent) have had the abortion at private clinics in private doctor supervision whereas those who employed public sector services were 34 per cent.

76. As per TNSA 2013, 97 per cent of the women received their prenatal care from a healthcare professional. (TNSA 1998 numbers were 68 per cent while TNSA 2008 reported 92 per cent). 95 per cent was from a medical doctor. 97 per cent of the women were at a healthcare facility for their labour with public sector in the lead (TNSA 1998 numbers were 73 per cent while TNSA 2008 reported 90 per cent). 93 per cent of the women received post-natal care from a healthcare professional (TNSA 2008 reports this at 82 per cent).

Question 13

77. There are no barriers for women's and girls' access to information and reproductive healthcare services. In provinces, Mother-Child Healthcare and Planned Parenthood Centres as well as Family Health Centres provide information regarding reproductive health. Services provided within the scope of Planned Parenthood used to be given between 15-49 years of age married women monitoring form but now they are provided between 15-49 years of age women information form.

78. "Regulations for Uterine Evacuation and Sterilisation Services and their Supervision" No. 510 based on the Planned Parenthood Law No. 2827 dated 18 December 1983 are still in force. There are no limitations to voluntary abortion until the end of the 10th week of the pregnancy as per the current legislation. In Article 13 of the current regulations, it is stated that "for uterine evacuation to be carried out during pregnancy no further than ten weeks, consent is sought from the pregnant woman if the woman is of full legal age, if not, the pregnant woman and their guardian, if under custody but not of age. from the pregnant woman and guardian (as well as magistrate), if the woman is married, from the spouse."

79. In case the woman's spouse/guardian does not consent to abortion, she may individually apply to the Supreme Court.

Rural women

Question 14

80. Regarding the healthcare services and employment of the women living in rural areas, see the paragraphs 186, 188, 206, 207 and 208 of the report. Law enforcement unit to seek support for women subjected to violence in rural areas is the gendarmerie. For the efforts undertaken by the Gendarmerie General Command regarding violence against women see paragraph 40 of the report and answer to Question 8.

81. "Programme for Strengthening Women Entrepreneurship in Agriculture" aims to promote, support, and enhance investment opportunities for women entrepreneurship in rural areas. Started in 2014, the programme provided female farmers with certificate training programmes for entrepreneurship in 9 provinces and support for their own business ideas as projects. Programme will be continued in 10 more provinces in 2016. Within the scope of "Developments for the Farmer Women Programme" providing farmer women with methods and information for more efficient farming, better resource management, knowledge and application of new technologies was the aim of trainings provided in 13 provinces in 2015. Programme will continue in 10 more provinces in 2016. In addition, to support regional, specific production, programmes targeting women farmers about fishery, sericulture, fertiliser production and similar subjects were provided with trainings and travel to foreign countries for professional visits by the farmer women. Similar projects will be undertaken in 2016.

82. The Ministry of Food, Agriculture and Husbandry and the Food and Agriculture Organization of the United Nations are jointly carrying out the project for "Improving Gender Outlook and Socio-economic Capacity of Women in Rural Areas for Sustainable Rural Development". Within the scope of the project, experts assigned to pilot provinces were given trainers' trainings for gender issues. In addition, trainings on "entrepreneurship, product development and marketing" were provided to women farmers. Project efforts are still underway.

83. As per the Social Insurance and General Health Insurance Law No. 5510, if the people under protective measure resolution as per the Law No. 6284 are not included in the general health insurance without any kind of income evaluation, they are included in general health insurance and their premiums are paid by the State.

Question 15

84. Seasonal agricultural workers are the largest portion of informal employment. Seasonal agricultural workers may have voluntary insurance, but since the nature of the work is seasonal, voluntary insurance is at low percentages. Efforts are underway to facilitate inclusion of the seasonal agricultural workers in the system.

85. Within the scope of the project "Improvement of the Professional and Social Aspects of the Lives of Seasonal Agricultural Workers" as depicted in the paragraph 210 of the report, 65 local projects were supported between 2010 and 2014. Service infrastructures were established by the project and as of 2014 they have been carried out by provincial governorships, district governorships, municipalities, social support and collaboration foundation organizations etc.

Disadvantaged groups of women

Question 16

86. The Ministry of Family and Social Policies General Directorate on the Status of Women service units provide services to women who are actual and potential victims of violence without discrimination as also depicted in the Constitution, in the Law No. 6284 and the Article 4(d), General Principles, of the Social Services Law 2828. Anti-Violence Against Women National Action Plan 2016-2019 foresees various activities considering the needs of disadvantaged women groups more vulnerable to violence.

87. As per legislation, all patients coming to the emergency services, regardless of whether they are citizens or not and in the country legally or illegally, are provided with healthcare without discrimination. Additionally, efforts are underway to make hospitals more disabled-friendly and elderly-friendly. No language problems are experienced while providing services to our citizens speaking only Kurdish since the hospital personnel are employed locally.

88. The Project "Promoting Social Integration of the Disabled" aims to enhance NGOs' capacities and attaches special importance to disabled women. In the design of that project, activities and grant projects in the context of gender equality was particularly supported. Project was launched in 2009 and will be completed in 2016.

89. "National Life Long Learning Strategy (2014-2018)" aims to improve the access of the disadvantaged groups to lifelong learning.

90. The Project on "Promoting Primary School Attendance" (see the report para. 140) was completed in 2015. Within the project, "Turkish Language Plan, Teacher's Handbook and Study Book" were developed specifically for educating the pupils lacking Turkish language skills compared to their peers. Moreover, a brochure was prepared in four languages (Turkish, Arabic, Syrian and Kurdish) to inform parents about support programmes of different institutions to facilitate their children's attendance. Activities were conducted for applying the programme at schools where the children of refugees and families under temporary protection are enrolled and teachers were trained accordingly.

91. The Turkish Employment Agency provides vocational trainings to disadvantaged groups, especially women, the long-term unemployed, ex-convicts and those with a history of drug abuse within the scope of Active Labour Market Programmes. The Agency had 222,596 women employed in 2014 whereas this number increased by 17 per cent in 2015. The rate of women benefiting from programmes is over 50 per cent. Public Benefit Programmes had legislative adjustments to facilitate adaptation of women and other disadvantaged groups to labour market. Consequently, female participants in the public benefit programmes increased to 44 per cent in 2015 from 28 per cent in 2013. Vocation Consultants identify suitable jobs-vocations for the disadvantaged during individual or group interviews and refer them to the appropriate active labour programmes. Of those that the Agency interviewed in 2015, 40 per cent were women.

Women in detention

Question 17

92. Training and rehabilitation activities for women convicts and prisoners differ from that of male convicts due to their sociocultural circumstances. One of the main reasons for difference is that the women are allowed to serve their time with their children. Accordingly, the activities in the imprisonment period of women convicts and prisoners are conducted with regard to needs of their children. Turkey has 8 detached women prisons whereas women convicts and prisoners are held in 100 prisons nationwide, including the mixed facilities.

93. Training are provided in prisons for women convicts to prevent future crimes and re-integrate them into society, to develop their vocational skills. Rehabilitation programmes are also available for alcohol and substance abuse, anger management etc.

94. The foremost of the post-release efforts for prevention of women's criminality is the economic support system activation, social services and healthcare services. Upon amendments to the Law on Execution of Sentences, training and vocational courses at open and closed prisons has become prominent in promoting women convicts' reintegration. In addition to these programmes, psycho-social support programmes are run in prisons by psychologists and social workers.

95. The Project on "Improving Addiction Treatment and Mental Health Services in Prisons" was developed for early diagnosis of mental problems in prisons and to provide training to psycho-social support and healthcare personnel. In scope of this project, "Investigation Assessment Form" and "Structured Mental Assessment and Individual Response Programme" were developed. Response Programmes are aimed at prevention, rehabilitation or treatment of mental health or addiction problems.

96. Article 65 of the Law on Execution of Sentences and Security Measures No. 5275 stipulates that the "0-6 year-old children of convict mothers, without guardians outside may stay in prison with their mothers" As per the Article 72, likewise, the State shall supply food needs of those children (milk, baby food etc.). All the women's prisons have nursery schools. 3-5 year-old children in prisons with their mothers have priority access to Ministry of National Education pre-schools free of charge. Activities for women prisoners with accompanying children are conducted together with NGOs.

97. The Article 105/A added to the Law No. 5275 in 2012 introduced a special privilege to women who stay in prison with their children of 0-6 ages and have two years or less left before conditional discharge, allowing them to serve the part of their punishment up to the conditional release date under probation.

98. In scope of the Project on Career Planning Centres for Women Convicts financed under Leonardo Da Vinci programme by the National Agency for the implementation of the European Union Acquis, a model was developed using the "Assessment of Preliminary Learning" system to manage the careers of women in prisons appropriately and facilitate their labour force participation after release. For sustainability of the model, the Ministry of Family and Social Policies General Directorate on the Status of Women and the Ministry of Justice General Directorate of Prisons and Detention Houses signed a protocol, a software integrated into the National Judiciary Network Information System was developed and trainer trainings

were delivered. Project implementation was completed in 2015 and the system was integrated into the software used by the General Directorate of Prisons and Detention Houses.

Refugees, asylum-seeking and internally displaced persons

Question 18

99. Law No. 6458 on Foreigners and International Protection describes the person with special need as "out of those applicants and international protection beneficiaries, an un-accompanied minor; a disabled person; an elderly person; a pregnant woman; a single mother or a single father with an accompanying child; or a person who has been subjected to torture, rape or other serious psychological, physical or sexual violence". Those with special needs are prioritised in formal rights and procedures in the international protection area. People subjected to torture, sexual assault or other psychological, physical or sexual violence are provided with adequate treatment. Deportation is not ruled for those with travel risk for serious health problems, age or pregnancy.

100. The total capacity of repatriation centres available in Turkey is 2980 people, with 567-people capacity only for women. However, for irregular migrants found, capacities can be changed based on gender composition. It is planned to extend the capacity to 2700 upon completion of the repatriation centres planned especially in scope of European Union projects.

101. Reception and accommodation centres in Turkey are also gender-sensitive. The reception and accommodation centre for sheltering girl children with no guardians with capacity for 100 people is under renovation in Konya and will be completed in 2016. Psychologists, social workers, doctors, nurses and sociologists work in these centres. Family rooms are available for parents and children to stay together. In many of them, separate worship rooms for men and women and playgrounds for children are available. All new and planned buildings alongside 4 of existing centres have separate sports areas for men and women.

102. Gender sensitivity is considered in the construction and the operation of the centres to minimise the possibility of violence. In the location of toilets, showers and lights, safety of women and children is taken into consideration.

103. Staff of Accommodation Centres are recruited at equal number in terms of gender; especially translators employed at healthcare units are women. With the training provided, women are given information about hygiene and reproductive health. In collaboration with UNFPA and the Ministry of Health, the Agency of Disaster and Emergency Relief distributed brochures about pregnancy and nursing in Arabic as well as hygiene kits. Moreover, the healthcare personnel providing services to the Syrians were given trainings in 2015 on anger management, stress management, intercultural communication, healthcare processes etc. These trainings are also planned for 2016.

104. See answers to questions 2-5 for awareness-raising activities for law enforcement forces.

105. Women's guesthouses admit also foreign women victims or potential victims of violence. In 2015, the number of foreign national women benefiting from these

shelters was 81 and the number of accompanying children was 47. See paragraph 57 of the report for "Combating and Response to Gender Violence and Humanitarian Aid" Programme run jointly with UNFPA, the Ministry of Family and Social Policies General Directorate on the Status of Women between 2013 and 2015.

106. The Ministry of Family and Social Policies General Directorate of Family and Community Services, UNICEF Turkey Office and the Agency of Disaster and Emergency Relief collaborated in an effort to translate 19 subjects among the Family Training Programme (see paragraph 85) modules considered best fitting to Syrian citizens' needs in present circumstances into Arabic and arranged in the form of a presentation. Trainings are provided by Syrian trainers. Trainings currently provided at 12 temporary accommodation centres are planned to be provided at 10 more.

107. Healthcare services for foreigners under temporary protection are delivered pursuant to Regulation No. 9648 and dated 4 November 2015, on Principles of Healthcare Services for Foreigners under Temporary Protection, issued by the Ministry of Health. In scope of the first stage healthcare services for those under temporary protection, services of ambulatory diagnosis and treatment, immunisation, prevention of contagious diseases and epidemics, anti-tuberculosis services, environmental health services, women and reproductive health services, and children and adolescent health services are available. These services are provided at the same standards as citizens at temporary accommodation centres, public health centres and related units, refugee health centres (49 units in 13 provinces), and family health centres.

108. Interviews with the foreigners under temporary protection as well as other international protection applicants are carried out with utmost care in Turkey. Foreigners identified as victims of human trafficking are directed to support services such as NGO-operated shelters in Istanbul, Ankara and Antalya.

109. Regarding the citizens who had to migrate from their land due to concerns of terror and security in 14 provinces in eastern and south-eastern Turkey (Adıyaman, Ağrı, Batman, Bingöl, Bitlis, Diyarbakır, Elazığ, Hakkari, Mardin, Muş, Siirt, Şırnak, Tunceli and Van), "Return to Village and Rehabilitation Programme" was carried out to facilitate the return of those who volunteer to return to their hometowns as well as establishment of the necessary social and economic infrastructure, or facilitating the integration into the city life and improving the present economic and social status of those not choosing to go back. From 14 provinces covered by the project, a total of 386,360 of citizens from 62,448 homes left their villages due to security concerns. The Project facilitated the return of 187,861 citizens to 28,384 homes. Between 1999 and 2015, 206 million TL (approximately USD 70 million) was disbursed by the project. A great deal of projects were realized in areas such as rehabilitation, establishment of public, youth, sports, women and children education centres, employment and vocational courses, student dormitories, infrastructure projects for roads, water, power, sewage etc., repairing and restoring damaged schools, healthcare centres and other facilities, supporting citizens rebuild their houses as well as agriculture and livestock projects.

110. The project "Economic and Social Integration of the Internally Displaced Persons into City Life" is being financed by the European Union and Turkey. Total project budget is 3.8 million Euros. Goal of the project is to facilitate access to basic services and integration into the society for the internally displaced to improve their

social conditions. The project provides trainings of entrepreneurship to 500 women, occupation to 2,000 people in 25 different fields, literacy programmes to 500 women and computer training to 300 young people. Trainings are expected to be completed by October 2016. In addition, workshops will be organized to develop policies for displaced people. In scope of grant component of the project, grants ranging from 5,000 to 15,000 Euro were provided for 83 women with projects approved.

111. "Social Support Programme" was launched in 2008 with a view towards improving the human capital of the provinces in Eastern and South-eastern Anatolian Regions as well as providing for the social necessities created by migration, poverty and unemployment in these regions. The Programme was mainly aimed at providing education, employment, rehabilitation as well as cultural, artistic and sports activities to the disadvantages groups and to this end, 7,977 projects supported by the Programme were given an approximate amount of TL 1,378,000 (approximately USD 475,000) between 2008 and 2015.

112. In order to make it possible for our citizens who suffered losses due to terror and anti-terror activities to be recompensed by settlement in a fast, efficient and just manner without need to go through national and international proceedings, in the year 2004, "Law on Recompensing the Losses Caused by Terror and Anti-Terror Activities" number 5233 was introduced. Within the scope of the law, losses due to death, injuries and disablement; losses on the immovable and movable assets; losses related to agriculture and livestock; losses incurred due to displacement for security concerns and thus having no access to assets are recompensed. In order to facilitate recompense of the losses covered by the law, "loss assessment committees" under the management of vice provincial governors were established, and throughout the country, while 21 committees are still continuing their work, total of 64 committees completed their tasks. As of October 2015, there are 367,414 applications, 344,134 of these applications were concluded: 183,573 of them recompensed and 160,561 rejected. As of November 2015, from the total amount of TL 3,415,100,296 approved by the committees and requested to be paid to our citizens upon signing of settlement agreements, the amount of TL 3,413,822,640 (approximately USD 1.18 billion) were paid to the right holders.

Women and peace and security

Question 19

113. Deliberations and efforts are under way towards furnishing a National Action Plan for the implementation of the Security Council resolution No. 1325. For efforts towards women affected by conflicts, see the answer to question 18.

114. The Ministry of Family and Social Policies National Level Psychosocial Support Service Group Plan describes the scope of psychosocial support for the Syrians forced to migrate from their countries due to conditions of war such as: the multidisciplinary collection of services provided at every stage of disasters and emergencies, including prevention of psychological disorders and maladjustments that may arise after war and migration, reestablishment of human relations at individual, group, family and community levels, facilitating recognition of own capacity and empowerment of the affected in the process of returning to normal life, improving the emergency response/recovery/rehabilitation skills for the potential

future disaster and emergencies and supporting the assisting staff. Within this scope, the Ministry of Family and Social Policies provides all psychosocial support services on equal basis in coordination with provincial directorates.

Marriage and family relations

Question 20

115. Supreme Court, in its remarks for the related resolution, states that "pursuant to the principle of respect to privacy, while the choice of individuals to live together and to have children without any religious ceremony or marriage is not considered an offense and not penalized within the scope of laws, criminalization of the choice of individuals to carry out religious ceremonies to marry due to their preferences and beliefs is disproportionate". Within this scope, in relation with prevention of early marriages, activities depicted under the paragraphs 220-223 are currently underway.

116. According to Turkish Civil Law, all men and women at the age of 17 are licensed to marry. However, those individuals who are over 17 but not 18 which is the legal age, can only marry with the consent of their legal guardians. In parallel, individuals under legal constraints can marry upon consent of their legal representative as well. Again, under extraordinary conditions or in case of an important reason, a man and a woman can marry past the age of 16 by judge resolution. In case an individual was forced into marriage with a person who they never have considered marriage or did not want to marry, or an illness that may prove dangerous to the spouses or the next generation was kept secret, the individual was blackmailed etc. with the threat directed toward the individual or one of their relatives, public prosecutors or anyone involved may file an annulment case to end the marriage considered null and void. Marriage process starts with an application to the mayor or an official authorised by the mayor in municipal boundaries or the headman in other places. In case the application is approved, marriage union starts by the ceremony to be conducted by the registrar of marriages and in the presence of two witnesses. Both of the spouses, while the matrimony is maintained, are authorised to represent the union for the continuous requirements of the family. Both of the spouses can choose a vocation or job without needing consent of his/her spouse. In the case that the responsibilities of a marriage union are not fulfilled or a dispute regarding an issue central or important to the continuation of the marriage union is present, or with regards to determination of the each spouse's monetary contribution to the household, arbitration of a judge may be sought. In case of separation, monetary responsibilities of the parties as well as personal relations with children under legal age and such other issues are settled by a judge. Judge may rule that the claims and assets of the spouse who failed at fulfilling their responsibility to contribute towards the expenses of the household are to be paid to the other spouse. Judge may also rule for the spouse failing or continuously failing to fulfil their responsibilities that all sorts of disposal rights on their own assets will be subject to consent of the other spouse.

117. Within the Family Law module of the action plan depicted in the paragraph 85 of the report, regulations regarding matrimony laws are conveyed and detailed information is given to couples regarding their rights.